



Spring 2005
Volume 3, Issue 3

Fair Housing News



In this issue:

- HUD Celebrates Fair Housing Month
- HUD, Housing Authority of the City of Las Vegas Sign Agreement to Assist Persons with Disabilities
- HUD Charges Illinois Real Estate Broker and Zellpac, Inc., with Violation of Fair Housing Act
- Assistant Secretary Addresses Fair Housing Conference, Realtor Annual Meeting
- Assistant Secretary Tours Tucson Colonia, Discusses Challenges Facing Area
- Fair Housing Month Award Recipients

Our Mission

To create equal housing opportunities for all persons in America by administering laws that prohibit discrimination in housing on the basis of race, color, religion, sex, national origin, disability, and familial status.

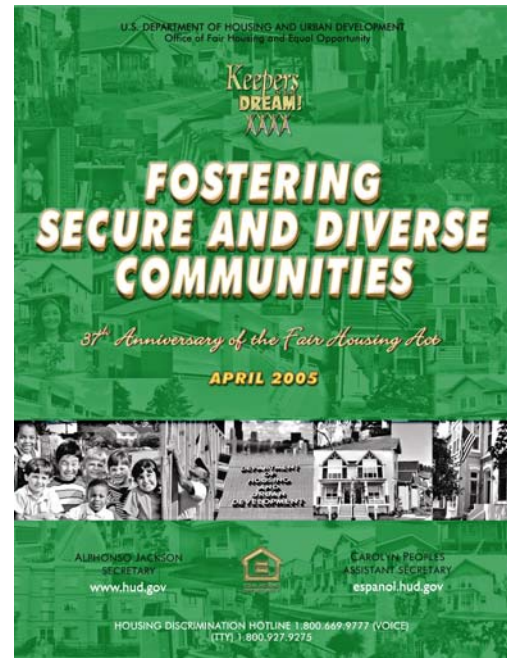
HUD Celebrates Fair Housing Month

Each April, HUD commemorates the passage of the Fair Housing Act and celebrates the strides it has made in furthering this landmark civil-rights law.

The 2005 Fair Housing Month theme, "Fostering Secure and Diverse Communities," emphasizes the nation's commitment to creating safe communities and underscores the role of the Fair Housing Act in making sure that communities are open to all persons regardless of race, color, religion, national origin, sex, disability, or familial status (presence of children under 18).

This month, HUD will participate in events throughout the country to promote the right to equal housing opportunity. Fair Housing Month events will augment the activities that HUD and its partners carry out throughout the year and encourage new collaborations between government agencies, fair housing organizations, housing providers, and community groups. These partnerships will enable HUD to better assist those who suffered housing discrimination and improve its methods for educating the public on their rights and responsibilities.

Results of these partnerships can already be seen in the work HUD has done with organizations that serve the Hispanic



population. HUD has recently partnered with such groups in order to conduct targeted fair housing education and outreach. As a result, in FY2004, the number of housing discrimination complaints filed by Hispanics increased by 31 percent.

Visit www.hud.gov/fairhousing for information on Fair Housing Month activities.

HUD, Housing Authority of the City of Las Vegas Sign Agreement to Assist Persons with Disabilities

On January 6, 2005, HUD announced the Housing Authority of the City of Las Vegas (HACLTV) had signed a Voluntary Compliance Agreement (VCA) committing to provide over 100 fully-accessible public housing units for residents with disabilities among other things.

The agreement stems from a HUD review of HACLTV conducted in January 2004 where HUD assessed HACLTV's

compliance with Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and Title VI of the Civil Rights Act of 1964.

Together, these laws make it illegal to discriminate on the basis of race, color, national origin, or disability and contain

Continued on page 3

HUD Charges Illinois Real Estate Broker and Zellpac, Inc., with Violation of Fair Housing Act

In January 2005, HUD charged Guy Emery, an Illinois real estate broker, and apartment owners, Zellpac Inc., with violating the Fair Housing Act by refusing to rent an apartment to Deborah Norton because she uses a wheelchair.

HUD's investigation showed that Christopher Norton, Ms. Norton's son, saw a newspaper advertisement for an apartment at 908-810 N. Bentley Street in Marion, Illinois. When inquiring about the apartment availability, Norton told Emery he was looking for an apartment for his mother who uses a wheelchair.

Norton arranged to tour the apartment with Emery in early December. While, viewing the apartment, Norton borrowed Emery's tape measure and

measured the bathroom doorway to ensure his mother's wheelchair would fit. Satisfied with the apartment configuration, Norton arranged for his hospitalized mother to fill out the application, and he then submitted the application with a \$100 check.

Several hours after receiving the completed application and the check, Emery called Mr. Norton and informed him he could not rent the apartment to Norton's mother because of the wheelchair. Emery went on to explain that the apartment faces north and with the snow and ice, he felt Norton's mother might fall and that she would not have access to the apartment because of the snow.

Upon hearing about Emery's concerns, Deborah Norton called

Emery to allay his fears. Emery stated that because she is in a wheelchair, it would be a liability for him. Ms. Norton asked Emery if he was aware of the federal and state laws prohibiting him from discriminating based on her disability, and Emery replied that he did not care.

HUD concluded that Emery's refusal to rent to Ms. Norton because of her disability and statement that she would be a liability constituted unlawful discrimination. As a result, HUD charged Guy Emery and Zellpac Inc., with violating the Fair Housing Act. On January 18, 2005, the respondents elected to pursue the case in federal court. This case is now under the jurisdiction of the Department of Justice.

Assistant Secretary Addresses Fair Housing Conference, Realtor Annual Meeting

Fair Housing Council of San Diego

On February 17, 2005, Assistant Secretary Carolyn Peoples addressed attendees of the Fair Housing Laws and Litigation Conference held by the Fair Housing Council of San Diego.

Assistant Secretary Peoples discussed HUD data on the public reporting of housing discrimination in San Diego and the state of California. She focused on the experiences of Hispanics and Asians and Pacific Islanders, noting that a recent HUD study found that the rate of discrimination against Hispanics in the San Diego rental market was 29 percent, exceeding the national average. A similar HUD study found that Asians and Pacific Islanders in California experienced

discrimination in 20 percent of residential sales transactions.

The purpose of the conference was to provide fair housing training to attorneys, affordable housing professionals, and those involved in providing housing for Native Americans. The conference covered legal topics such as methods of enforcement, establishing damages in fair housing cases, and new fair housing case law. Fair housing was also addressed in workshops on advertising, applicant screening and selection, accessible housing for persons with disabilities, and meeting the housing needs of Native Americans.

Brooklyn Board of Realtors

At the annual meeting of the Brooklyn Board of Realtors, held on March 8, 2005, Assistant Secretary

Carolyn Peoples gave a keynote address to an audience of over 300 members.

Assistant Secretary Peoples described a recent HUD study, which found that the rate of sales discrimination against African Americans in the state of New York was 23 percent, a rate higher than the national average. She called attention to the problem of steering, a practice where real estate agents direct clients to certain areas based on their race, national origin, or other protected characteristic. The study showed an increase in the rate that African Americans were steered toward neighborhoods with a higher concentration of minorities.

The speech also described HUD fair housing initiatives and how real estate professionals and HUD can partner to promote fair housing.

Assistant Secretary Tours Tucson Colonia, Discusses Challenges Facing Area

Assistant Secretary Carolyn Peoples was in Tucson, Arizona, on January 25, 2005, to tour the Old Nogales Highway Colonia, an area south of the city inhabited by more than 3,500 Hispanics, and while there participated in two community meetings about the housing needs of residents of the colonia.

Assistant Secretary Peoples first met with community leaders on how they can help residents of the colonias. Joining Assistant Secretary Peoples in the discussion were representatives of Pima County District 2, Pima County Community Development and Neighborhood Conservation Department, Southwest Fair Housing Council (SFHC), and other local non-profit organizations.

Among the subjects discussed was a resolution Pima County recently adopted that calls for identifying infrastructure needs in the colonia and developing a feasible strategy and timeline for addressing those needs. The meeting also addressed how the county will fulfill its pledge to conduct an analysis of existing programs in the community, identify human service organizations that could become key collaborators in



Assistant Secretary Peoples discusses issues facing residents of the Old Nogales Highway Colonia with Pastor Peralta

the provision of programs in the colonia, and identify potential funding for projects and services.

The group also focused on SFHC's plans for using a \$218,535 grant to provide fair housing investigation services and education and outreach activities in the colonia, establish an on-site clinic, where caseworkers will be available to discuss fair housing issues, and conduct 200 matched-pair housing discrimination tests.

Following the meeting, Assistant Secretary Peoples toured the Old

Nogales Highway Colonia, where she talked with several residents and met with Pastor Juan Peralta, a local minister who allows his church to be used as a meeting place for families living in the colonia.

After the tour, Assistant Secretary Peoples met with members of a local fair housing coalition to talk about the report, "The American Dream Lost, Foreclosures in Pima County," which examined Tucson-area lenders with more than 25 foreclosures in 2002 and found that Hispanic homeowners living in predominantly white neighborhoods were twice as likely to be foreclosed on than Hispanics living in largely Hispanic neighborhoods.

The group recommended strategies for reducing foreclosures in the area, including requiring lenders to provide more information on loan terms and conditions and investigating abuses in contract-for-deed arrangements.

Assistant Secretary Peoples previously toured the Old Nogales Highway Colonia in April 2003 at the invitation of SFHC to discuss how HUD could help colonia residents.

Las Vegas, continued from page 1

requirements regarding accessibility for persons with disabilities.

The agreement resolves several potential civil rights concerns that HUD uncovered during its review. HACLTV will make periodic reports to HUD. At the same time, HUD will do its own monitoring for compliance.

Under the terms of the agreement, HACLTV will:

- Make 104 housing units fully-accessible to persons with mobility impairments;

- Develop a plan to make its administrative offices fully accessible to persons with disabilities;
- Develop procedures to accommodate applicants and residents with disabilities so that they have an equal opportunity to participate in their programs;
- Adopt procedures to communicate with individuals with hearing, visual or cognitive disabilities;
- Ensure that residents with disabilities occupy housing units that meet their disability-related needs; and
- Provide fair housing training for current and new employees.

This agreement also requires HACLTV to develop a plan to ensure that individuals with limited English proficiency have meaningful access to HACLTV's housing opportunities.

Failure to comply with this agreement could lead to loss of federal funding and possible court action by the Department of Justice.

Since 2001, HUD has executed Voluntary Compliance Agreements with three other major public housing authorities: Boston Housing Authority, District of Columbia Housing Authority, and the Puerto Rico Public Housing Administration.

HUD Office of Fair Housing and Equal Opportunity

451 7th Street, SW
Washington, DC
20410

If you feel your housing rights have been violated, you can file a fair housing complaint by:

Calling: 1-800-669-9777
TTY: 1-800-927-9275

OR

Complete an online form at:

www.hud.gov/fairhousing



Fair Housing Month Award Recipients

SAMUEL J. SIMMONS LIFETIME ACHIEVEMENT AWARD RECIPIENT **Christopher Kui, Executive Director, Asian Americans for Equality**

Christopher Kui, Executive Director of Asian Americans for Equality (AAFE) in New York, began working with AAFE in 1976 and became executive director in 1992. AAFE advocates for social justice and equal opportunity in addition to developing affordable housing and providing assistance to the Asian immigrant community in New York City with accessing social services, starting small businesses, and understanding the home buying process. As executive director, Mr. Kui has raised over \$50 million to build 500 units of housing for low-income individuals.

PIONEER AWARD RECIPIENT **Nancy Kenyon, Executive Director, Fair Housing of Marin**

Nancy Kenyon, Executive Director of Fair Housing of Marin in California, is recognized for her pioneering work in the area of racial discrimination in senior housing facilities. Ms. Kenyon designed and conducted an audit of local residential care facilities, which found evidence of differential treatment favoring white testers in 60 percent of the sites tested. Several organizations have conducted similar surveys as a result of this study.

COURAGE AWARD RECIPIENT **Stacy Peardon, Real Estate Agent, St. Claire Shores, Michigan**

Stacy Peardon, a real estate agent in St. Claire Shores, Michigan, demonstrated exceptional courage when three white men threatened to “get her” for showing homes in a predominantly white community to her African American clients. Ms. Peardon reported the incident to the Fair Housing Center of Metropolitan Detroit, who referred the case to the Federal Bureau of Investigation. One of the men was criminally charged and sentenced to one year of home confinement and one year of probation.

HUD OFFICE OF FAIR
HOUSING AND EQUAL
OPPORTUNITY

451 7th Street, SW
Washington, DC 20410

